

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD MEZA,

Petitioner,

v.

MICHAEL PALLARES,

Respondent.

No. 2:20-cv-2316 JAM KJN P

ORDER

Petitioner filed his third request for an extension of time to file and serve objections to the October 22, 2021 findings and recommendations.¹ Good cause appearing, petitioner is granted thirty days from the date his opposition was due on February 2, 2022. Petitioner has had almost four months to complete his objections. Therefore, his objections must be presented to prison staff for mailing to the court on or before March 4, 2022. No further extensions of time will be granted. If petitioner fails to timely file such objections, the findings and recommendations will be forwarded to the district court for review and adoption.

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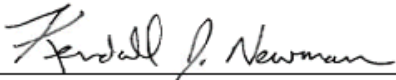
¹ Under the prison mailbox rule, a pleading filed by a pro se prisoner is deemed to be filed as of the date the prison delivered it to the prison authorities for mailing to the court clerk. See Houston v. Lack, 487 U.S. 266, 270 (1988); Douglas v. Noelle, 567 F.3d 1103, 1108-09 (9th Cir. 2009) (mailbox rule articulated in Houston applies to civil rights actions). Petitioner's objections were due on or before February 2, 2022. Therefore, petitioner's motion, handed to prison staff for mailing on February 6, 2022, was late. However, he is granted one final extension of time.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's request for an extension of time (ECF No. 29) is granted; and

2. Petitioner shall present his objections to prison staff, for mailing to the court, on or before March 5, 2022. No further extensions of time will be granted.

Dated: February 11, 2022


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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